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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/697,761	10/30/2003	Brian S. McCain	TUC920030123US1 (16957)	8747

46263	7590	02/07/2007	EXAMINER	
SCULLY, SCOTT, MURPHY, & PRESSER			NGUYEN, VAN H	
400 GARDEN CITY PL				
GARDEN CITY, NY 11530				

ART UNIT	PAPER NUMBER
2194	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	02/07/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

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Office Action Summary	Application No.	Applicant(s)
	10/697,761	MCCAIN ET AL.
	Examiner	Art Unit
	VAN H. NGUYEN	2194

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>30 October 2003</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-18</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-18</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date <u>10/30/2003</u>.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

U.S. Patent and Trademark Office

PTOL-326 (Rev. 08-06)   Office Action Summary   Part of Paper No./Mail Date 20070202

DETAILED ACTION

1.   This communication is responsive to the application filed 10/30/2003.

Claims 1-18 are currently pending in this application.

Oath/Declaration

2.   The Office acknowledges receipt of a properly signed Oath/Declaration submitted

10/30/2003.

Information Disclosure Statement

3.   The Applicants' Information Disclosure Statement, filed 10/30/2003, with

document #6 fails to comply with 37 CFR § 1.98 (a) (1).

37 CFR § 1.98 (a) (1) requires *"[A] list of all patents, publications, applications,*

or other information submitted for consideration by the Office. U.S. patents and

U.S. patent application publications must be listed in a section separately from

citations of other documents." The Information Disclosure Statement has been

placed in the application file, but the information referred therein has not been

·considered. Also, Applicant is requested to provide the U.S. Application/Patent

for the IDS item #6.

Specification

4.   Examiner requests that Applicant review the application carefully for informalities

including typographical errors.

Claim Rejections - 35 USC § 102

5.   The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b),by another filed in the United States before the invention by the applicant for patent or (2)a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a)shall have the effects for the purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2)of such treaty in the English language; or " (Emphasis added.)

Claims 1-18 are rejected under 35 U.S.C. 102(e) as being anticipated by **Chinnici et al.**

(Pub. No.: US 2003/0191803A1).

As to claim 1:

Chinnici teaches a method for providing a command *(e.g., calls)* from a client-side host *(e.g., client 130)* to a server-side host *(e.g., server 110) [see the Abstract; Fig.1 and the associated text]*, comprising:

invoking a client-side API *(e.g., client side API 135; fig1)* at the client-side host to pass in a set of parameter objects, and to provide a command object that contains the parameter objects; wherein each of the parameter objects represents a different parameter of a command *[e.g., see the multiple-reference objects, parameters, and serialized objects discussion; ¶¶0027, 0057-0059, 0073-0076, 0153-0160, 0170-0204]*;

serializing the command and parameter objects to provide serialized command and parameter objects; and communicating the serialized command and parameter objects to the server-side host as the command *[e.g., see the serializing/deserializing discussion; ¶¶0011-0012, 0027-0028, 0081-0083, 0014, 0017-0019, 0126-0130, 0139-0154, 0157-0166, 0169-0194, and 0206-0214]*.

As to claim 2:

Chinnici teaches the server-side host is adapted to attempt to deserialize the serialized command and parameter objects to determine whether the server-side host is compatible with the different parameters of the command that are represented by the parameter

objects *[e.g., see the deserializing discussion; ¶¶0011-0012, 0027-0028, 0081-0083, 0014, 0017-0019, 0126-0130, 0139-0154, 0157-0166, 0169-0194, and 0206-0214].*

As to claim 3:

Chinnici teaches if the server-side host cannot successfully deserialize at least one of the serialized parameter objects, the server-side host sends an error message to the client-side host to inform the client-side host that the server-side host does not support the parameter represented by the at least one serialized parameter object that cannot be successfully deserialized *[e.g., see the deserializing discussion; ¶¶0012, 0181, and 0127].*

As to claim 4:

Chinnici teaches the server-side host cannot successfully deserialize the serialized parameter objects whose class type is not recognized by the server-side host *[e.g., see the deserializing discussion; ¶¶0012, 0181, and 0127].*

As to claim 5:

Chinnici teaches the client-side API comprises a client-side of a command-based API *[e.g., see the client side API 135 discussion; ¶¶0050-0052, 0061, and 0014-0017].*

As to claim 6:

Chinnici teaches the server-side host uses a server-side API *(e.g., sever side API 115)* of
the command based API to attempt to deserialize the serialized command object and
parameter objects *[e.g., see the sever side API and deserializing discussion; Fig.1,
¶¶0041-0043, 0012, 0181, and 0127]*.

As to claim 7:

Chinnici teaches a method for processing a command *(e.g., calls)* from a client-side host
(e.g., client 130) at a server-side host *(e.g., server 110) [see the Abstract; Fig.1 and the
associated text]*, comprising:

receiving serialized command and parameter objects at the server-side host as a command
from the client-side host; wherein the command object contains the parameter objects,
and each of the parameter objects represents a different parameter of the command *[e.g.,
see the multiple-reference objects, parameters, and serialized objects discussion;
¶¶0027, 0057-0059, 0073-0076, 0153-0160, 0170-0204]*; and

deserializing the serialized command and parameter objects to determine whether the
server-side host is compatible with the different parameters represented by the parameter
objects *[e.g., see the serializing/deserializing discussion; ¶¶0011-0012, 0027-0028,
0081-0083, 0014, 0017-0019, 0126-0130, 0139-0154, 0157-0166, 0169-0194, and 0206-
0214]*.

As to claim 8:

Chinnici teaches the serialized command and parameter objects are obtained at the client-side host by invoking a client-side API *(e.g., client side API 135; fig1)* at the client-side host to pass in a set of the parameter objects, containing the set of parameter objects in the command object, and serializing the command object and parameter objects contained therein *[e.g., see the multiple-reference objects, parameters, serialized objects, and serializing discussion; ¶¶0011-0012, 0027-0028, 0057-0059, 0073-0076, 0153-0160, 0169-0194, 0170-0204].*

As to claim 9:

Chinnici teaches if the server-side host cannot successfully deserialize at least one of the serialized parameter objects, the server-side hosts sends an error message to the client-side host to inform the client-side host that the server-side host does not support the parameter represented by the at least one serialized parameter object that cannot be successfully deserialized *(e.g., see the deserializing discussion; ¶¶0012, 0181, and 0127].*

As to claim 10:

Chinnici teaches the server-side host cannot successfully deserialize the serialized

parameter objects whose class type is not recognized by the server-side host *[e.g., see the*

deserializing discussion; ¶¶0012, 0181, and 0127].

As to claim 11:

Chinnici teaches the server-side host uses a server-side API *(e.g., sever side API 115)* of a

command based API to attempt to deserialize the serialized command and parameter

objects *[e.g., see the sever side API and deserializing discussion; Fig.1, ¶¶0041-0043,*

0012, 0181, and 0127].

As to claim 12:

Chinnici teaches the serialized command and parameter objects are obtained at the client-

side host by invoking a client-side API *[e.g., see the client side API 135; fig.1]* at the

client-side host that comprises a client-side of the command-based API *[e.g., see the*

client side API 135 discussion; ¶¶0050-0052, 0061, and 0014-0017; see also Fig.1 and

the associated text].

As to claims 13-18:

Note the rejection of claims 7-12 above. Claims 13-18 are the same as claims 7-12, except claims 13-18 are storage device claims and claims 7-12 are method claims.

Conclusion

6.   The prior art made of record, see PTO 892, and not relied upon is considered pertinent to applicant's disclosure. Applicant should review these references carefully before responding to this office action.

Contact Information

7   Any inquiry or a general nature or relating to the status of this application should be directed to the TC 2100 Group receptionist: (571) 272-2100.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to VAN H. NGUYEN whose telephone number is (571) 272-3765. The examiner can normally be reached on Monday-Thursday from 8:30AM 6:00PM. The examiner can also be reached on alternative Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, WILLIAM THOMSON can be reached at (571) 272-3718.

The fax phone number for the organization where this application or

proceeding is assigned is (571) 273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR. Status

information for unpublished applications is available through Private PAIR only. For

more information about the PAIR system, see http://pair-direct.uspto.gov. Should you

have questions on access to the Private PAIR system, contact the Electronic Business

Center (EBC) at 866-217-9197 (toll-free).

Any response to this action should be mailed to:
Commissioner for patents
P O Box 1450
Alexandria, VA 22313-1450

Van H. Nguyen
Patent Examiner, AU 2194